

REMARKS

This application is a divisional application of U.S. Application No. 10/005,412, filed on December 3, 2001. In response to the restriction requirement mailed on March 17, 2003 in U.S. Application No. 10/005,412 ("Restriction Requirement"), Applicants have amended claim 1 to the bacteria *Klebsiella pneumoniae* 342 (ATCC NO. PTA-2743) and *Klebsiella pneumoniae* zmvsy (ATCC No. PTA-2741). Because these two strains of bacteria are from the same genus and species, Applicants submit that there is no serious burden upon the Examiner to examine these two (2) strains of bacteria together.

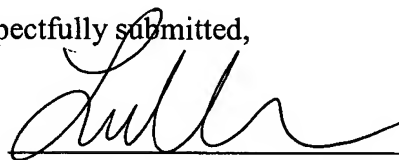
With respect to the strains of bacteria listed in claim 1 other than *Klebsiella pneumoniae* 342 (ATCC NO. PTA-2743) and *Klebsiella pneumoniae* zmvsy (ATCC No. PTA-2741) and that have been deleted from claims 1, 4-5 and 13, Applicants reserve the right to pursue claims to these bacteria in one or more divisional applications.

Claims 3, 6-12 and 15-17 have been deleted, without prejudice and disclaimer, in response to the Restriction Requirement. Applicants reserve the right to pursue these claims in one or more divisional applications.

If any additional fees are incurred as a result of the filing of this Preliminary Amendment, authorization is given to charge deposit account number 23-0785.

Respectfully submitted,

By:



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